

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al. : **Case No. C-1-01-649**

Plaintiffs : **Spiegel, J.
Black, MJ.**

vs. :

CITY OF SHARONVILLE, et al. : **PLAINTIFFS' MOTION TO FILE
PRIVILEGED DOCUMENTS
UNDER SEAL**

Defendants :

:

Plaintiffs respectfully request that the file of their former attorney be accepted for filing under seal.

MEMORANDUM

Counsel for defendants Cramer and Nuss have issued subpoenas compelling the production of the case file of plaintiffs' former attorney Ravert ("Jay") Clark and seeking to take his deposition. Plaintiffs filed a motion to quash the subpoenas and for a protective order. (Doc. 145). Plaintiffs' motion is currently before the district court on objections to the order issued by the magistrate judge. (Doc. 163, 164).

The documents in question constitute the case file of plaintiffs' former attorney and are protected by both the attorney-client privilege and the work product doctrine. The district court's must have access to these documents when ruling upon plaintiffs' objections. Plaintiffs respectfully request that these documents be accepted for filing under seal to protect their confidential nature pending the district court's ultimate ruling on the issue. Plaintiffs' note that the sensitive nature of this case has previously resulted in documents being filed under seal. (See Doc. 142).

Respectfully submitted,

s/ Alphonse A. Gerhardstein
Alphonse A. Gerhardstein # 0032053
Trial Attorney for Plaintiffs
Paul Laufman #0066667
Attorney for the Plaintiff
617 Vine Street, Suite 1409
Cincinnati, Ohio 45202
(513) 621-9100
(513) 345-5543 fax
agerhardstein@laufgerhard.com
plaufman@laufgerhard.com

Certificate of Service

I here by certify that on July 2, 2004 a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Paul M. Laufman
Paul M. Laufman